

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
DOCKET NO. 3:10-cr-00087-FDW-DCK

UNITED STATES OF AMERICA,)
)
vs.)
)
(4) ADRIAN PARKER,) ORDER
)
Defendant.)
_____)

THIS MATTER is before the Court on Defendant's pro se Motions for Reduced Sentence under the First Step Act (Doc. No. 396, 413) and for Default Judgement (Doc. Nos. 415, 432).

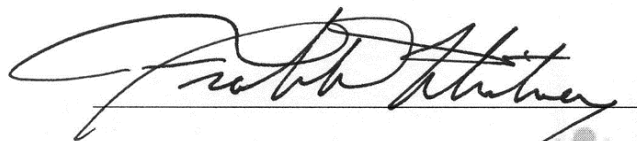
On September 15, 2020, this Court considered the Defendant's Motion for a Reduced Sentence under the First Step Act. (Doc. No. 423). The Defendant failed to demonstrate that he should be granted a sentence reduction, and therefore, his Motion to Reduce Sentence (Doc. No. 423) under the First Step Act was denied. (Doc. No. 427). In fact, these Motions for a Reduced Sentence was filed at least six months *before* the denied Motion for a Reduced Sentence was filed. This Court considered the information provided by the Defendant in the Motions (Doc. No. 396, 413) prior to issuing the order denying the Motion for a Reduced Sentence. (Doc. No. 427). Therefore, the Motions for a Reduced Sentence under the First Step Act (Doc. No. 396, 413) and Default Judgement (Doc. No. 415, 432) are MOOT.

With respect to the Motions for a Default Judgement (Doc. Nos. 415, 432) criminal defendants are not entitled to a default judgement against the Government in the context of a criminal matter. Defendant has already been convicted and sentenced by this Court. (Doc. No. 281). Additionally, Defendant is not entitled to a default judgement anyway because the

Government responded in opposition (Doc. Nos. 421, 425). The Defendant's Motions for Reduced Sentence were adequately addressed and *denied* on September 15, 2020. Therefore, the Motions seeking a default judgement (Doc. Nos. 415, 432) in favor of the Defendant is MOOT.

IT IS SO ORDERED.

Signed: October 7, 2020


Frank D. Whitney
United States District Judge

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